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Resolution adopted by the General Assembly on 18 December 2014

[*on the report of the Third Committee (A/69/488/Add.3)*]

69/190. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other international human rights instruments,

Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 68/184 of 18 December 2013,

1. *Takes note* of the report of the Secretary-General submitted in August 2014 pursuant to resolution 68/184,[3] and the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Islamic Republic of Iran[4] submitted in August 2014 pursuant to Council resolution 25/24 of 28 March 2014;[5]

2. *Welcomes* pledges made by the President of the Islamic Republic of Iran with regard to some important human rights issues, particularly on eliminating discrimination against women and members of ethnic minorities and promoting freedom of expression and opinion, and urges the Islamic Republic of Iran to translate them into concrete action that results in demonstrable improvements as soon as possible and to ensure that its national laws are consistent with its obligations under international human rights law and that they are implemented in accordance with its international obligations;

3. *Acknowledges* legislative and administrative changes in the Islamic Republic of Iran that address some human rights concerns, including amendments to the Islamic Penal Code and to the criminal procedure code, and notes efforts to introduce a citizen's rights charter, while urging the Government of the Islamic Republic of Iran to ensure that these measures are consistent with its international human rights obligations;

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] A/69/306.

[4] A/69/356.

[5] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.

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4. *Also acknowledges* recent engagement by the Islamic Republic of Iran with human rights treaty bodies through the submission of periodic national reports, as well as participation in its second universal periodic review by the Human Rights Council, while remaining seriously concerned about the broader lack of engagement with human rights monitoring mechanisms, including the ongoing lack of response to requests from special procedures mandate holders for information and country visits;

5. *Expresses deep concern* at serious ongoing and recurring human rights violations in the Islamic Republic of Iran relating to, inter alia:

(*a*) The alarming high frequency of and increase in the carrying-out of the death penalty in the absence of internationally recognized safeguards, including public executions, notwithstanding the issuance of a circular by the former head of the judiciary prohibiting public executions, and secret group executions, as well as reports of executions undertaken without the notification of the prisoner's family members or legal counsel;

(*b*) The continuing imposition and carrying-out of the death penalty against minors and persons who at the time of their offence were under the age of 18, in violation of the obligations of the Islamic Republic of Iran under the Convention on the Rights of the Child[6] and the International Covenant on Civil and Political Rights;[2]

(*c*) The imposition of the death penalty for crimes that lack a precise and explicit definition and for crimes that do not qualify as the most serious crimes, in violation of international law;

(*d*) Torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputations;

(*e*) Widespread and serious restrictions on the right to peaceful assembly, freedom of association and freedom of opinion and expression, including through continued efforts to block, filter or hinder Internet access and content, including social media outlets, to jam international satellite transmission and to censor or close media outlets;

(*f*) The systematic targeting and harassment of human rights defenders and the renewed targeting of journalists, bloggers and social media users, who face arrest, arbitrary detention, long-term exile and harsh sentences, including the death sentence;

(*g*) Pervasive gender inequality and violence against women and ongoing discrimination against women and girls in law and in practice, including by continuing to limit equal access to employment and to certain fields of higher education, as well as restrictions on access to decision-making positions in the Government and to the labour market, despite the granting of 3 of 11 deputy vice-presidential posts to women;

(*h*) Continued discrimination and other human rights violations, at times amounting to persecution, against persons belonging to ethnic, linguistic or other minorities, including Arabs, Azeris, Balochis and Kurds and their defenders, noting in particular reports of the violent suppression and detention of ethnic Arabs and Azeris, including ongoing violations of their due process rights and alleged torture while imprisoned, and the reported secret execution of members of the Ahwaz Arab community;

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[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

(*i*) Ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the building of, as well as attacks against, places of worship and burial;

(*j*) Continued harassment, at times amounting to persecution, and human rights violations against persons belonging to recognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims and Zoroastrians and their defenders, noting in particular the arbitrary arrest and detention of Sufi Muslims, Sunni Muslims and evangelical Christians, including the continued detention of Christian pastors;

(*k*) Continued discrimination, persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i faith and their defenders, including targeted attacks and murders, without proper investigation to hold those responsible accountable, arbitrary arrests and detention, the denial of access to higher education on the basis of religion, the continued imprisonment of the entire leadership of the Iranian Baha'i community, the closure of Baha'i-owned businesses, the desecration and destruction of Baha'i cemeteries and the effective criminalization of membership in the Baha'i faith;

(*l*) Continued and sustained house arrest of leading opposition figures from the 2009 presidential elections, despite serious concerns about their health, as well as ongoing restrictions on their supporters and family members, including through harassment, intimidation and reprisals;

(*m*) Persistent failure to uphold due process of law, and violations of the rights of detainees, including the widespread and systematic use of arbitrary detention and enforced disappearance, the lack of access of detainees to legal representation of their choice, the refusal to consider granting bail to detainees, the poor conditions of prisons, the denial of access to adequate medical treatment and the consequent risk of death faced by prisoners, detainees being subjected to torture, rape and other forms of sexual violence, harsh interrogation techniques and the use of pressure exerted upon their relatives and dependants, including through arrest, to obtain false confessions that are then used at trials and are broadcast on national television;

(*n*) Continuing arbitrary or unlawful interference by State authorities with the privacy of individuals, in particular in relation to private homes, and with their correspondence, including telephone and e-mail communications, in violation of international law;

6. *Calls upon* the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations, in law and in practice, in particular:

(*a*) To abolish, in law and in practice, public executions and other executions carried out in the absence of respect for internationally recognized safeguards, including by stoning and suspension strangulation;

(*b*) To further revisit the revised Islamic Penal Code to make it consistent with its obligation, under article 37 of the Convention on the Rights of the Child and article 6 of the International Covenant on Civil and Political Rights, to abolish executions of minors and persons who at the time of their offence were under the age of 18;

(*c*) To eliminate, in law and in practice, all forms of torture and other cruel, inhuman or degrading treatment or punishment;

(*d*) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls, including to address the increasing incidence of child, early and forced marriage, to promote women's participation in decision-making positions and, while recognizing the high enrolment of women in all levels of education, to lift all restrictions on women's equal access to all aspects of university education and promote women's participation in the labour market and in all aspects of economic, cultural, social and political life;

(*e*) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to religious, ethnic, linguistic or other minorities, recognized or otherwise;

(*f*) To eliminate discrimination against, and exclusion of, members of certain groups with respect to access to higher education based on their political, ethnic or religious affiliations or community, including through the unqualified readmission of those students previously excluded for these reasons, to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities and to release those imprisoned for this reason;

(*g*) To implement, inter alia, the 1996 report of the Special Rapporteur on religious intolerance, [7] in which he recommended ways in which the Islamic Republic of Iran could emancipate the Baha'i community, to release the seven Baha'i leaders held since 2008 and to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed;

(*h*) To launch a comprehensive accountability process in response to cases of serious human rights violations, including those involving the Iranian judiciary and security agencies, and to end impunity for such violations, including those that took place during the attack that injured dozens of prisoners in Evin prison in April 2014, as promised by the Government;

(*i*) To fulfil repeated pledges by the President for greater space for freedom of expression and opinion by ending the ongoing harassment, intimidation and persecution of political opponents, human rights defenders, women's and minority rights activists, labour leaders, students, academics, film-makers, journalists and their families, other media representatives, bloggers, social media users, clerics, artists and lawyers, including by releasing persons who continue to be detained arbitrarily or on the basis of their political views;

(*j*) To end restrictions on, and the arbitrary arrest of, the press and media representatives, Internet users and Internet providers, including the selective jamming of satellite broadcasts, that violate the rights to freedom of expression and association, and, while the General Assembly welcomes the decision of the Government to increase Internet speed, it further encourages improvements to facilitate open and free Internet access;

(*k*) To uphold, in law and in practice, procedural guarantees to ensure due process of law;

7. *Also calls upon* the Government of the Islamic Republic of Iran to strengthen its national human rights institutions in accordance with the principles relating to the status of national institutions for the promotion and protection of

[7] E/CN.4/1996/95/Add.2.

human rights (the Paris Principles)[8] by establishing an independent national human rights institution as it committed itself to doing in the framework of its first universal periodic review by the Human Rights Council,[9] with due regard for the recommendation of the Committee on Economic, Social and Cultural Rights;[10]

8. *Notes* the recent engagement by the Islamic Republic of Iran with human rights treaty bodies, including the submission of national periodic reports to the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities, and calls upon the Government of the Islamic Republic of Iran to consider acting upon the concluding observations adopted by those Committees;

9. *Calls upon* the Government of the Islamic Republic of Iran to effectively implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that it may have made upon signature or ratification of other international human rights instruments where such reservations are overly general, imprecise or could be considered incompatible with the object and purpose of the treaty, to consider acting upon the concluding observations concerning the Islamic Republic of Iran adopted by the bodies of the international human rights treaties to which it is a party and to consider ratifying or acceding to the international human rights treaties to which it is not already a party;

10. *Notes with concern* the poor implementation record of the Government of the Islamic Republic of Iran in respect of the recommendations that it had accepted during its first universal periodic review by the Human Rights Council, and strongly encourages the Government to implement all accepted recommendations, including from its second universal periodic review, with the full and genuine participation of independent civil society and other stakeholders in the implementation process;

11. *Expresses deep concern* that, despite the standing invitation issued by the Islamic Republic of Iran to all thematic special procedures mandate holders, it has not fulfilled any requests from those special mechanisms to visit the country in nine years and has left unanswered the vast majority of the numerous and repeated communications from those special mechanisms, and strongly urges the Government of the Islamic Republic of Iran to fully cooperate with the special mechanisms, including facilitating their visits to its territory, so that credible and independent investigations of all allegations of human rights violations can be conducted;

12. *Expresses serious concern* about allegations of reprisals against individuals for their cooperation or contact with United Nations human rights mechanisms or representatives;

13. *Strongly encourages* the thematic special procedures mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran, in particular the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the

[8] Resolution 48/134, annex.

[9] See A/HRC/14/12 and Add.1 and Add.1/Corr.1.

[10] See E/C.12/IRN/CO/2.

right to education, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Special Rapporteur on minority issues, the Working Group on Arbitrary Detention, the Working Group on Enforced or Involuntary Disappearances and the Working Group on the issue of discrimination against women in law and in practice of the Human Rights Council;

14. *Welcomes* the recent engagement, through country visits, of the heads of United Nations agencies, and urges the Government of the Islamic Republic of Iran to deepen its engagement with United Nations human rights mechanisms;

15. *Encourages* the Government of the Islamic Republic of Iran to continue to explore cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

16. *Continues to call upon* the Government of the Islamic Republic of Iran to cooperate fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and other international human rights mechanisms, including by accepting the repeated requests made by the Special Rapporteur to visit the country to carry out his mandate;

17. *Requests* the Secretary-General to report to the General Assembly at its seventieth session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its twenty-eighth session;

18. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its seventieth session under the item entitled "Promotion and protection of human rights".

73rd plenary meeting
18 December 2014